

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JENNIFER SAWVEL, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JUNE SAWVEL,

Respondent-Appellant.

UNPUBLISHED

June 7, 2005

No. 259004

Genesee Circuit Court

Family Division

LC No. 00-112451-NA

Before: Bandstra, P.J., and Fitzgerald and Meter, JJ.

MEMORANDUM.

Respondent appeals as of right from the order of the trial court terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (c)(ii), (g) and (j). We affirm.

The trial court did not clearly err in finding that statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence established that respondent failed to obtain suitable stable housing, failed to address her substance abuse issues, and refused to participate in services. We find no merit to respondent's argument that her ability to participate in services was impaired by petitioner's failure to provide her with a copy of the Parent-Agency Agreement (PAA). Respondent was present at the plea agreement hearing and, at that time, the requirements of her treatment plan were placed on the record. Further, petitioner testified that the PAA was discussed with respondent and her attorney and that a copy was given to the attorney, at his request, so that he could discuss its terms with respondent. Moreover, respondent had additional opportunities to benefit from a treatment program through the Department of Corrections because some terms of respondent's probation mirrored requirements of the FIA treatment plan. Finally, respondent admitted that she knew that she was required to participate in services if she were to reunify with her daughter. Simply put, respondent did not properly avail herself of the opportunities presented to her. She failed to communicate with the Family Independence Agency (FIA), she was deceptive about her living arrangements, and she failed to apprise petitioner of her multiple address changes. Respondent's own conduct, not that of the FIA, hindered her efforts at rehabilitation and reunification.

Affirmed.

/s/ Richard A. Bandstra
/s/ E. Thomas Fitzgerald
/s/ Patrick M. Meter